

### **REMARKS/ARGUMENTS**

The application has again been carefully reviewed in light of the Office action and the result of the Pre-Appeal Brief Conference, and has been amended to more clearly and particularly describe the subject matter which applicant regards as the invention.

Claims 38-56 remain in this application. Claims 1-37 have been previously canceled. New claim 57 has been added.

Claims 1-56 were previously rejected under 35 U.S.C. §103(a) as being unpatentable over Hiroya *et al.* (U.S. 5,754,654) and Sasmazel *et al.* (U.S. 6,032,260) in view of Cogger *et al.* (U.S. 6,032,184). For the following reasons, the rejection is respectfully traversed.

As previously argued by the Examiner, and apparently ignored by the Pre-Appeal Brief Panel, Claims 1-37 were previously canceled. The Examiner, in the last Office action examining the claims, has discussed the rejections of a number of these claims in detail, despite the fact that they were canceled. Furthermore, the Notice of Decision from the Pre-Appeal Brief Review continues to state that claims 1-56 remain rejected, despite the fact that **claims 1-37 have been previously canceled!** This leads the applicant to wonder whether any real scrutiny was even given to this case by the Examiner and/or the panel, when again and again the Examiner, and now the panel, cannot even correctly state the status of the claims in this case. Furthermore, the Examiner has again failed to address the rejection of claims 38-56 in any detail whatsoever, and thus applicant cannot determine how or why the current claims in this case have been rejected. The claims have been amended purely for clarity and to be consistent with foreign applications filed for this subject matter.

Applicant respectfully requests that the Examiner actually examine the claims that have not been canceled this time, in sufficient detail, so that applicant can respond to any rejections that the Examiner may issue.

Furthermore, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

Appl. No. 09/616,652  
Amdt. Dated April 3, 2006  
Reply to Office action of March 1, 2006

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 32808.

Respectfully submitted,

PEARNE & GORDON LLP

By: 

Robert F. Bodi, Reg. No. 48540

1801 East 9th Street  
Suite 1200  
Cleveland, Ohio 44114-3108  
(216) 579-1700

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